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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,	)	Case No.: 2:17-cr-00180-JAD-PAL
	)	
Plaintiff,	)	STIPULATION TO CONTINUE
	)	GOVERNMENT'S RESPONSE TO
vs.	)	DEFENDANT'S MOTION TO
	)	SUPPRESS (ECF No. 203) - <u>Second</u>
EVERLY JAMES,	)	<u>Request</u>
	)	
Defendant.	)	

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IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting United States Attorney; and Cristina D. Silva, Assistant United States Attorneys, counsel for the United States of America, and Christopher Oram, Esq., counsel for defendant EVERLY JAMES, for the reasons set forth herein, that the Government's response to defendant's motion to suppress (ECF No. 203), currently due on November 30, 2017, be continued for three (3) weeks for the following reasons:

1           1. Counsel for the Government recently provided the Defendant with  
2 additional evidence that could extend the currently charged conspiracy. Counsel for  
3 the Defendant needs additional time to review the discovery and discuss it with his  
4 client.

5           2. Further, Defendant's counsel has been in a State of Nevada homicide  
6 trial for several weeks. As of November 27, 2017, the jury is deliberating.

7           3. The defendant is in custody and but does not object to the continuance.

8           4. Additionally, denial of this request for continuance could result in a  
9 miscarriage of justice because it will prevent the Defendant from receiving and  
10 reviewing additional information with his counsel, and it could also deny the parties  
11 an opportunity to engage in more fulsome plea negotiations.

12           5. This is the second request for continue the response to the motion to  
13 suppress.  
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15           DATED this 27th day of November, 2017.

16                           STEVEN W. MYHRE  
17                           Acting United States Attorney

18                                 /s/  
19                           CRISTINA D. SILVA  
20                           FRANK J. COUMOU  
                             Assistant United States Attorneys

21                                 /s/  
22                           CHRISTOPHER ORAM, ESQ.  
23                           Counsel for Defendant James  
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

EVERLY JAMES,

Defendant.

Case No.: 2:17-cr-00180-JAD-PAL

**ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the Government recently provided the Defendant with additional evidence that could extend the currently charged conspiracy. Counsel for the Defendant needs additional time to review the discovery and discuss it with his client.
2. Further, Defendant's counsel has been in a State of Nevada homicide trial for several weeks. As of November 27, 2017, the jury is deliberating.
3. The defendant is in custody and but does not object to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice because it will prevent the Defendant from receiving and reviewing additional information with his counsel, and it could also deny the parties an opportunity to engage in more fulsome plea negotiations.


1           5. This is the second request for continue the response to the motion to  
2 suppress.

3           For all of the above-stated reasons, the end of justice would best be served  
4 by a three-week continuation of the deadline for the Government to file its response  
5 to the Defendant's Motion to Suppress (ECF No. 203).

6                               ORDER

7           IT IS ORDERED that the Government's deadline to respond to the  
8 Defendant's motion to suppress, currently scheduled for November, 2017, be vacated  
9 and continued to December 21, 2017.

10          DATED this 1st day of December, 2017.

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13                               THE HONORABLE PEGGY A. LEEN  
14                               United States Magistrate Judge  
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